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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,128	03/02/2004	Harold S. Goradesky	6897-10	2642
4897	7590	09/28/2007	EXAMINER	
ROBERT C. KAIN, JR.			NGUYEN, TUAN DUC	
750 SOUTHEAST THIRD AVENUE			ART UNIT	PAPER NUMBER
SUITE 100			2614	
FT LAUDERDALE, FL 333161153				

  

MAIL DATE	DELIVERY MODE
09/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/791,128	GORADESKY, HAROLD S.	
	Examiner Tuan D. Nguyen	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-54 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-11, 18-32 and 34-54 is/are rejected.  
 7) Claim(s) 12-17 and 33 is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 03/02/2004

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 34-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 34 is depending to itself.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 18-32, 39-54 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S patent number 6,283,348 (Wang).

Regarding claims 1, 2, 6, 7, 18, 20-23, 39, 42-54, Wang discloses a clip mount for a cellular phone attachment system with a button mount (figures 2, 3 item 2), said clip mount comprising: a body (11) defining a complementary locking cavity (112) for said button; a resilient locking tongue (113) disposed in said complementary locking cavity adapted to

bias said button into a locking position in said locking cavity, said resilient locking tongue having at least one cam surface; and a movable cam actuator (117) movably mounted on said body and having at least one cam actuator surface coacting with said at least one cam surface wherein, in a first position of said cam and cam actuator surfaces, said resilient locking tongue is adapted to bias said button into said locking position in said locking cavity and, in a second position, said cam actuator surface acting on said cam surface flexes said resilient locking tongue out of said locking position thereby adapted to release said button.

Regarding claims 3, 24, Wang also shows said body is generally rectangular and said cam actuator is elongated and moves longitudinally in said rectangular body (see figures 2, 3).

Regarding claims 4, 5, 10, 25-28 and 31, Wang further shows wherein said body defines a channel therein for said cam actuator, said cam actuator moving within said channel (see figure 2).

Regarding claims 8-10, 29-31 and 41, Wang also shows wherein said cam actuator is U-shaped having a base and two legs extending from the base, said user actuation surface being defined on said base of said U-shaped cam actuator and at least one of legs defining said cam actuation surface; wherein said cam surface and said cam actuator surface have complementary sloped surfaces; and wherein channel is channel cavity and said body defines leg channels complementary to said legs of said

cam actuator in said channel cavity, said legs of said cam actuator move within said complementary leg channels (see figure 2, item 117).

Regarding claims 11, 19, 32 and 40, Wang further discloses wherein said resilient member is a spring (1151).

***Allowable Subject Matter***

3. Claims 12-17 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan D. Nguyen whose telephone number is (571) 272-8163. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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9/24/07